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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

KRISTAL D. SCHERER, an individual, on)
behalf of herself individually, all others)
similarly situated, and on behalf of the general)
public;)
Plaintiff,)
v.)
EDDIE BAUER, INC., a Delaware corporation,)
and DOES 1 through 100, inclusive,)
Defendants.)

CASE NO. 07-CV-2270-JM-AJB

[Assigned to The Honorable Jeffrey T. Miller]

MOTION TO AMEND FIRST AMENDED
CLASS ACTION COMPLAINT

Date Action Filed: September 20, 2007
Date Action Removed: December 3, 2007

Plaintiffs' counsel having erroneously caused the name of Plaintiff, Kristine Ochoco, to be misspelled
in the First Amended Class Action Complaint as "Christina Ochoco" and having discovered the error in the
spelling of Plaintiff, Kristine Ochoco's name after the First Amended Class Action Complaint was filed,
hereby amends the First Amended Class Action Complaint by substituting the correct name of Plaintiff,
Kristine Ochoco wherever her name is incorrectly spelled "Christina Ochoco" in such pleading.

Dated: January 31, 2008

Respectfully submitted,

LAW OFFICES OF SHELDON A. OSTROFF

By: S/Sheldon A. Ostroff
Sheldon A. Ostroff
Attorneys for Plaintiff